



**IT IS HEREBY ADJUDGED and DECREED that the below described is SO ORDERED.**

**Dated: June 14, 2011.**

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**H. CHRISTOPHER MOTT  
UNITED STATES BANKRUPTCY JUDGE**

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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION**

IN RE:	§	CASE NO. 11-31124-hcm
	§	
TRANSPICOS FOODS, L.P.	§	CHAPTER 11
	§	
Debtor.	§	

**ORDER SETTING HEARING REGARDING  
APPOINTMENT OF EXAMINER FOR LIMITED PURPOSE**

On June 14, 2011, the Court conducted hearings on several "First Day" motions in this case. The Debtor has filed a Motion to Authorize the Sale of Substantially All Operating Assets Related to the Debtor's Business Free and Clear of Liens, Interests and Encumbrances Pursuant to 11 U.S.C. §363 and for Authority to Enter into Supply Agreement to Allow the Continued Operation of Debtor's Business After the Sale ("Sale Motion") and requested an expedited hearing on the Sale Motion. The Debtor filed a Voluntary Chapter 11 Petition on June 9, 2011 and filed the Sale Motion the next day on June 10, 2011. As of this date, there has been insufficient time for the U.S. Trustee to solicit and appoint an official unsecured creditors committee in this case to evaluate the Sale Motion. From reviewing the bankruptcy schedules filed by the Debtor and the statements made at the hearing on June 14, 2011, it appears that the Debtor has fixed, liquidated, unsecured debts that exceed \$5,000,000 other than debts for goods,

services, and taxes under §1104(c)(2) of the Bankruptcy Code. Accordingly, the Court believes it should determine whether an examiner should be appointed for a limited purpose and that the following Order should be entered.

ACCORDINGLY, IT IS THEREFORE ORDERED, ADJUDGED AND DECREED AND NOTICE IS HEREBY GIVEN that on June 17, 2011 at 8:30 a.m. (MT) in the United States Bankruptcy Court, 8515 Lockheed, El Paso, Texas 79925, the Court shall conduct a hearing to determine whether the Court should appoint an examiner for the limited purpose of reviewing the transaction proposed by the Sale Motion upon request by the U.S. Trustee. Any party that desires to attend the hearing by telephone shall immediately request permission to appear by phone from the Courtroom Deputy at [ronda\\_farrar@txwb.uscourts.gov](mailto:ronda_farrar@txwb.uscourts.gov).

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